PHASES OF RAILROAD CONSOLIDATION.

A Suit Involving the Sum of \$17,000,000.

An important suit has been brought by Samuel Barten against the Wabash Railway Company. The details of the case as recited in Mr. Barton's complaint present the usual voluminousness of all pleadings in all ranges, litigations. It states in the outset that the Toledo, Wabash and Western Railway Company has solidated from various other companies, each bringing in their respective mortgages, that of the Great Western Railroad corporation alone amount ing to \$2,500,000. He states that he owner the original Great Western and Wabash and Great Western companies. The Toledo, Wabash and Western Railroad Company sued equipment bonds for about \$600,000, and consoliusted bonds for \$15,000 to take up the old mortgage and the equipment bonds, setting apart \$13,300,000 for that special purpose, of which bonds there are still outstanding about \$2,200,000. Subsequently this road issued a \$5,000,000 gold bond, and in May, 1875, Mr. Barton further states the company terly defaulted in payment of the interest, and proceedings for forecionure were begun and carried to a decree on the gold bonds. Following the decree an nation of bond and stock holders was formed the ground that the mortgage was fraudulent and rold. A compromise was effected by which \$1,600,000 in ground that the mortgage was fraudient and yold. A compromise was effected by which \$1,600,000 was accepted by the holders of the gold bond and the sompany reorganized, the old stockholders being let in on payment of \$10 a share, on five monthly payments, he last pay ment to be made on January 18, 1877, when they were to become new stockholders; all who did not subserble before November 3, 1876, to be considered as declining and their share to be distributed pro rata among those coming in. To meet contain claims on the road a new mortgage called the "Line mortgage" was made for \$1,000,000, to be paid in five annual instalments, and many of the old bondholders being induced to relund their coupons and deler payment. Mr. Barton says those relusing to do so determined to stand on their legal rights, such parties holding \$2,500,000 of the old bonds and \$600,000 of the equipment bonds. He sake the appointment of a receiver of the road for the purpose of protecting the interests of the old bondholders and foreclosing if necessary; that the holders of the equipment bonds be declared to have the same rights as the consolidated bondholders, and that all payments of interests to any except the holders of the scurity. Judge Donoune granted a temperary injunction, with an order to show cause why it should not be continued during the pendency of the action, such order being returnable on the littn inst.

A suit embodying some of the same statements as those contained in Mr. Barton's complaint has been brought by Heary Thornton sgainst the Wabash Railway Company and Thatchor M. Adams and others. In his complaint he says that the Toledo, Wabash and Western Railway Company and Taxistor's Kamas and others. In his complaint he says that the Toledo, Wabash and Western Railway Company and Taxistor's complaint, he company, he charges, is hopelessly insolvent, and he then proceeds to give an extensive array of facts and figures is corroboration of this statement. He then adds that there is nothing in the past history of the compa was accepted by the holders of the gold bond and the

SEVENTEEN MILLION DOLLAR SUIT. An argument was commenced yesterday in the tes Circuit Court, before Judge Blatchford, on a demurrer to a complaint in equity of John Len-enrig vs. the Land Grant Railway Trust Company of uri Kansas and Texas Railway Company, Mr. B. F. Butler, Mr. Charles Albright and Mr. Chauncey Shaffer appeared for the complainants and Mr Ruggies, of Star & Ruggies, for the delendants, who are named in the demurrer as William H. Guion, are named in the demurrer as william h. Guion, Joseph Seigman, James Seigman, Deligman, Jesse Seigman and David Crawlord, Jr. The complainant alieges that he, with others, had a flith interest in the profits of the above road consequent upon a contract entered into with him by the defendants for the building of the road, and that the latter, for the purpose of defrauding him of these profits have conspired to cancel the contract. He prays in his bil tout the defendants may be made to discover their associates, who are officers of the comdiscover their associates, who are omeers of the com-pany, and that they discose their interest therein. The bill also propounds fourteen interrogatories to the detendants, to wante the complainant demands as answer, and he also prays for an injunction and a re-ceiver. The amount involved is about \$17,000,000. The argument will continue for several days.

THE DICKEY WILL.

The contested will case of Patrick Dickey was betore Surroyate Calvin yesterday for formal proof of the will. Mr. Wheeler H. Peckham identified the will and said that it was drafted in his office in the spring of 1871, in his presence, and was duly executed. Dickey appeared to be about seventy years of age, sound in mind and free from all restraint. James I Worden, a clerk in Mr. Peckham's office, gave confirmatery testimony. Mr. Andrew Boardman, who ap-peared for Miss Susan Dickey, Mrs. Sevena Edward D. Turrell and Mr. Edward P. Dickey; three of the D. Turrell and Mr. Edward P. Dickey; three of the thildren, and wno are the concessants, claimed that the will was defective masmuch as it allenated property over two lives. The contest is brought against the three other children, who are the executors. The amount of property involved is about \$50,000. Susan Dickey was taken out of an insane asylum by order of the Supreme Court a short time ago. The further hearing was adjourned to Thursday next.

THE TWO ARMSTRONGS.

In the suit brought by William Armstrong agains Mrs. Cornella M. Stewart, wno claims to be entitled to \$5,000 bequeathed to a clerk of Mr. Stewart by that name, a motion was made yesterday before Judge Donohue for the examination of Judge Hilton, Mr. Libby and Mrs. Stewart before trial. The motion was denied and the case set down for trial on the 18th linst. Mrs. Stewart is reported as saying that she never saw the plaintiff and never saw the will of her husband until atter ins death.

SUMMARY OF LAW CASES. A good many of the old theatrical friends of Jake were in Supreme Court, Chambers, yesterday, boping to congratulate him on his admission to bail. Judge Donobue, however, deferred his decision is the case until half-past ten this morning

Amos Sinnott, arrested some time ago on the of attempting to pass four bogus \$1,000 bonds of the Maysville and Lexington Railroad on William

of the Mayaville and Lexington Railroad on William S. Weed, and who was convicted a lew days since in the Court of General Sessions, was vesterday sent to Bate Prison by Recorder Hackett for two years.

David Conroy, a horse shoer, who was convicted of a feionious ansaut on Andrew W. Gailagher, was yesterday entenced by Recorder Hackett to eighteen mostis' imprisonment.

Thomas Hadden, the sailors' boarding house keeper of Water street, who was found guity in the Court of General Sessions of stealing \$45 from one of his invalguests, named Waiter Hicks, was sent to the State Prison for two years and six monibs.

In the course of a drunken row at No. 33 Bowery, on the morning of the 14th of April iast, during which chairs, glasses and pitchers rattled about like hallstones, Robert Robinson, the barkeeper, fired two shots, as he said, to frighten the parties, and one of the bullets glanced off the ribs of Maurice Moore, Moninson was tried yesterday in Part 2 of the Court of General Sessions, and convicted of assault and battery, On motion Judge Glidersleeve remanded the prisoner for sentence.

ence.

D & Co., manufacturers of furniture in Fourth Lynch claimed that he did not buy the goods, but that they were leit with him on approbation, with the privilege of returning such of them as were not sold. Altimat & Co. brought an action against Lynch, which came up for trial yesterday in the Marine Court, before Judge toepp and a jury, which resulted in favor of Altimat & Co. for the full solount claimed, with interest. Mr. Morris J. Hirson appeared for plaintiffs and Messra. Michael Jacobs and James C. Quinn for

Carrie M. Edgett charges Edward F. Belt with th of promise of marriage. The defendant alleger he is a minor, and yesterday, on application, e Donohue appointed Gustavus, his lather, his

uardian as litem.

A suit recently was brought by the city against heodore S. Kent, Superintendent of Weights and leasures in this city. It is claimed that he retained see which, under the law of 1873, he is not entitled to, here was an argument yesterday before Judge Van Brunt on a demurrer, the question being whether his lifee was a city or county office. Decision was re-

office was a city or county once.

served.

In the old suit brought by John Morrissey against

Unitiam E. Fargo, being the well known New York
Express Company suit, a motion was made yesterday,

before Judge Donebue, for the substitution of a new plaintiff on account of Mr Morrissey's death.

William H. Moore, alias Aibert C. Moore, sitas Edward C. Moore, recently arrested on a requisition from the Governor of Massachusetts, charging him with complicity is the Cambridgeport Bank robbery, was taken before Judge Donobue, in Chambers of the Supreme Court, yesterday, on a writ of nabens corpus. Moore's counsel denies that he is the man meationed in the requisition. The matter was referred of Mr. William Sinclair to take proofs.

Letters of administration were granted yesterday by Surrogate Caivin to Mrs. Saran M. Berlin, of the Windsor Hotel, one of the two danghters of Mrs. Ruhamah E. Miller, who died recently leaving property estimated as worth \$10,000.

Charles Marsh was yesterday brought before Commissioner Shields by Police Officer Cox, of the Tenth precinct, charged with passing a large number of counterfeit five cent pieces, at different lager beer saloons on the Bowery. When arrested he had in his pomeasmen a box containing \$10 worth of the counterfeit coing. He also had with him written receipts for the manufacture and coloring of the coins. The coin is an excellent counterfeit and was well calculated to deceive. He was held for examination in \$1,500 ball.

INDICTING THE ALDERMEN.

DEFICIAL VIEWS CONCERNING THE POSITION TAKEN BY BECORDER HACKETT TOWARD THE CITY FATHERS - CORPORATION COUNSEL WHIT-NEY ON THE POWERS CONFERRED BY THE CHARTER OF 1873.

The Aldermen do not express any particular anxiety as to the result of the pending investigation by the Grand Jury concerning their passage of ordinances obstructing the streets in alleged violation of law The subject, however, was considerably canvassed around the City Hall yesterday. It is claimed on be half of the City Fathers that they possessed a perfect legal right to pass such resolutions, and that as a leg-islative body no proper indiciment could be found

THE CORPORATION COUNSEL'S OPINION. In July of lest year Corporation Counsel Whitney sent in an opinion to Mayor Ely on the subject. The opinion was soon after transmitted to the Common Council. The document says:—"I am not aware that prior to the year 1873 there was any express logislation on this subject, and the Common Council has for many years been in the habit of granting such permits, assuming, I presume, that they had the right to do so by virtue of the general legislative power vested in them by the old charters and acts of the Legislature to pass ordinances relating to the administration of public affairs in this city. Subdivision 4 of section 17 of the charter of 1873, however, expressly declared that the Common Council 'shall have no power to authorize the placing or continuing of any encroachment or obstruction upon any atreet or sidewalk except the temporary occupation thereof during the erection or repair of a or sidewalk except the temporary occupation thereof during the erection or repair of a building on a lot opposite the same. As this provision was a new one, and had not been the subject of judicial interpretation, and as the Common Council had for many years been in the habit of granting permits for stands and other obstructions upon the sidewalks, I desired to obtain some decision by the courts as to the true construction and meaning of this provision. There has not, however, as yet been any decision by the courts in reinton to this provision of the charter of 1873. A suit was some time since brought against the Commissioner of Public Works to restrain him from preventing the crection of a stand in Church street, which was being put on the sidewalk within what is called the stoep line under a permit granted by the Common Council. The plaintiff obtained as injunction, and the motion to continue the same pending the intigation was some time since heard, but has not been decided. Without writing longer for a decision by the courts I write this communication to say that, without attempting to decide what may have been the powers of the Common Council before the charter of 1873, they have not had the right since the passage of that charter to grant permits for stands or other obstructions on the sidewalks."

COMMISSIONER CANPERL'S POSITION.

It will be recollected that Commissioner of Public Works Campbell sent a communication to Mayor Ely two weeks since in relation to the conduct of the Aldermen. In this communication to Mayor Ely two weeks since in relation to the conduct of the Aldermen. In this communication to Mayor Ely two weeks since in relation to the conduct of the Aldermen. In this communication to the steed several instances where resolutions of this character had been passed, and concluded by saying:—"The streets and avonces of New York would be greatly improved in appearance and usefulness if many of the posts, stands, awnings and merchandes which now home home communication to fire the security of th

Mayor Ely yesterday made the totowing statement touching the controversy:—"Since I first became Mayor this question of screet and sidewalk encumbrances has been a constant secree of annoyance to me in consequence of the alleged ambiguity of the law on the sucject. It is an old question, which was discussed in the days of the King, when the subject was agitated of compelling the removal of the court yards on the avenues are wide street, and of which are alleged to be encroachments on the sidewalks. After I became Mayor I endeavored to get a legal solution of the question, and two or three cases involving various became Mayor I endeavored to get a legal solution of the question, and two or three cases involving various phases of the matter have been before the Supreme Court. I believe that one of them has been reconstly decided, showing that the powers of the Corporation in the matter are very limited. Since the subject has been in abeyance I have, as a general rule, veloced all ordinances of the Common Council authorizing sidewark obstructions except in cases which have peculiar merits and which are petitioned for by property owners affected by them. Some of these exceptional cases I have permitted to become law by neither velocing nor approving them. I am very giad that Recorder Hackett has taken a decided position in the matter, as I conceive it will result in a permanent solution of the difficulty. I do not believe that Recorder Hackett will inflict any greater punishment upon the recalcular Aldermen than a small flue. I cannot believe that he will act upon the suggestion of one of the morning papers, by placing them in confinement during the hot moaths."

WESTERN GEORGE IN LIMBO.

Officer Donnelly had a prisoner in the Essex Market Police Court yesterday whose face has been familiar at many a bar of justice throughout the length and breadth of the country. He had been a passenger in a Forty-second street crosstown car on the previous night, and while on the rear platform had once or twice justled Thomas McDowell, of No. 52 West Twenty-pinth street, who was standing there. Office Donnelly was on the car in citizen's dress. In a lew minutes the prisoner quietly drew out of McDowell's pocket a gold watch, worth \$55. Only a minute clapsed before the latter discovered his loss, and in his excitement he accused the officer, who was in citizen's attire of the theft. This impected the latter in his efforts to go after the theft, who had leaped from the car and was flying down second avenue. It was only when another officer appeared that he was sole to go in pursuit, and then he succeeded in overnauling the fugitive. When produced in the station house he said his name was George Cosgrove, but he was recognized at once as the notorious "Western George," who has almost as many shares as he has had charges against him. Under the name of Jaines Evans he has figured before the public, and in the Rogues' Gainery his picture appears over the label of No. 62, where it was picture appears over the label of No. 62, where it was picture appears over the label of No. 62, where it was picture appears over the label of No. 62, where it was picture appears over the label of No. 62, where it was picture appears over the label of No. 62, where it was picture appears over the label of No. 62, where it was picture appears over the label of No. 62, where it was picture appears over the fact of the missing of the label of No. 62, where the public, and in the Rogues' Gainery has picture appears over the label of No. 62, where the public appears over the label of No. 62, where the public appears over the label of No. 62, where the public appears over the label of No. 62, where the public appears over the label of No. 62, where the public appears over the label of No. 62, where the public appears over the label of No. 62, where the public appears over the label of No. 62, where the same picture appears over the label of No. 62, where the same picture appears over the label of No. 62, where the same picture appears over the label of No. 62, where the same picture appears over the label of No. 62, where the same picture appears over the label of No. 62, where th clapsed before the latter discovered his loss, and in

A WELL KNOWN PRISONER.

Several times in the past Mary Bossuet, as she now sails herself, of No. 54 James street, has figured in a police court, although she has generally escaped conviction. Her alleged offences have generally been the reception of stolen goods, and on that familiar charge she was again arraigned to the Jefferson Market Police Court yesternay. John C. Northrup, of No. 226 West Court yestermay. John C. Northrup, of No. 226 West Eleventh street, is the complainant, and he cianns in his simbaret that he and a partner of his suffered by a roobery at Johnstown, N. Y., the loss of bity dozen mairs of kid gloves valued at \$500. Feeling assured that the property was transported to this city he instituted inquiries here, and, in company wint to No. 54 James street, which was reputed to be a micely place to find his property. There, on the 3d of May, he found a couple of pairs of gloves, which, from private marks, he avers he recognized as his own. On May 10, when he had Mrs. Bossuet arrested, he says she had a pair of the gloves which he at once identified. The prisoner, who is the sister of the notorious William Variey, now deceased, waived an examination, and was hold in \$1,000 bait to answer the complaint, which was furnamed by Charles W. Stevens, of No. 49 James street.

A SERIOUS QUARREL.

Michael Gallagher, a compositor, met Martin S. Frescolin, assistant foreman in the Star composing room, about six o'clock Thursday evening on Centre street, near Reade. An altercaine ensued, Galigher accusing Frescoin with naving procured ins discharge, and a fight following this accusation Frescoins snot Galiagher, the ball giancing off from his fifth rip and inflicting only a sight wound. He was yesterday held in \$1,000 ball at the Tombe Police Court. CHARITY.

THE BEST WAY OF DISPENSING IT CONSIDERED BY THE STATE CHARITIES AID ASSOCIATION-SUGGESTIONS FOR THE BELLEY OF THE POORER CLASSES.

The State Charities Aid Association resumed its acasions yesterday. About a dozen gentlemen and a hundred of the charitable indies of New York and adjacent points were gathered in the small room of the association at No. 6 East Fourteenth street. Two essions were held-one in the morning and anothe in the afternoon. Monning sussi

During the merning session Rev. W. H. Bellows presided, and a paper was read by Dr. Stephen Smith on "Hespitala." He advocated for rural communities cottage or village hospitals as the best plans of suppressing pauperism, and called attention to the fact that village bospitals had already done much good in England and would probably do the same here. In such a hospital there should be a bed to every 100 inhabitants of the village. Dr. Smith recommende tar as possible.

Dutchess county, stated that the county almsho and hospital was disgraceful, and that there was no willingness on the part of the Supervisors to make necessary reforms. Mrs, Lowell and others partici-pated, and the charge was made that no changes of mprovements had been effected in Bellevue Hospita except such as had been forced upon the Commission ers of Charities. Political jobbery defeated efforts at genuine reform. However, the nurses were of a su-

genuine reform. However, the nurses were of a superior character to those formerly employed, and there was not so much crowding together of patients, and particularly of lying-in women.

APPERMOON SENSION.

During the afternuon session Rev. H. C. Potter presided and read a paper by Miss Louise & schuyler, the President of the sasociation, on the "Elevation of the Poor in their Homes." Miss Schuyler is strongly opposed to the system of doing out occasional alms, and prefers such charity as will permanently improve the condition of the poor and aid them to help themselves. Instead of doing out occasional alms, and prefers such charity as will permanently improve the condition of the poor and aid them to help themselves. Instead of doing out a few pennies to some wasning or some other work by which she can non-easily carn what she receives. Miss Schuyler urges co-operative volunteer work in bonali of the poor, and recommends that each city be divided into districts, where volunteer visitors may combine for their task. She also advocates improvements in tenements and artisans' dwellings such as had been introduced in Brooklyn.

their task. She also advocates improvements in tenements and artisans' dwellings such as had been introquoed in Brooklyn.

Mr. Brace, Superimendent of the Childrea's Aid Society, and that in the isst twenty-five years he did
not remember one successful effort to elevate the
nomes of the poor in this city. The only successful
solution of the problem was to give each workman a
smail, cheap cottage and his own bit of ground in the
place of housing them together in great tenements
which bocome the centres of poverty and crime.
Ultimately he believed that cheap colonies of workingmen would be founced to East New York and kindred
localities, each workingman to possess his own little
homestead and his own piece of greand, and to be
carried in cheap workingman to possess his own little
homestead and his own piece of greand, and to be
carried in cheap workingman to possess his own little
homestead and his own piece of greand, and to be
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homestead and his own piece of greand, and to be
carried in cheap workingman to possess his own little
head little his own in his own his little
his condition of the lower classes.

Making airticants saw wood.

Mr. White, oil Brooklyn, was in favor of dropping
all relief to applicants for charty who, in ninety-nine
cases out of a hundred, were unworthy. The St, Vincent
ie Paul Socioly had adopted the good rule to look up
by its own visitors those that were worthy of charity,
and it was a wise rule to send two visitors, who could
not be so easily duped as one. In Brooklyn the
Christian Union had issued last winter tickets which
contitied the bearer to twenty-five cents, there was at least the satisfactien that he had to work for it. Some men had even
sawed wood a whole day for twenty-five cents.

Mrs. Cohen, of Hartford, but t

sawing—so much so that the lady superintendent of the and association had to show them how to saw. (Laughter.)

Mr. John Bowne said the remark made by Mr. Brace that for the last tweaty-five years no effort had succeeded to elevate the homes of the poor in New York needed correction. Mrs. Miles had undertaken to improve a tenement house in Park street occupied by twenty families, or 120 souls in all. Through the application of certain rules the condition of the tenants, who were of the poorest class, had been vasily improved. Many had been redeemed to the church, their children had been baptized and intemperance had been driven away. A young man and woman living in a lawless way in an empty ceilar had been induced to marry. They now occupied a little room to the tenement house, and the other day the woman exhibited to Mrs. Miles, with a face it up with pride, some dishes of crockery, which were the results of a recent purchase.

Miss Sands spoke of the good accomplished by the application of the loan principle. In the Sixtoenth ward she and other ladies had arduously worked to relieve sick people by lending them beds, pillows and other necessities, and in nearly all cases they paid them back when they got well. One child had been lound, which, though it had been sick for three years, had nevertholess never had a bed to sleep upon. The lattner of the child, seeing that it was saved by Christian ladies, was converted from a confirmed drunkard, without religion, to sobriety and to the Church.

Dr. Potter recommended that light be shed into the intellectual darkness of the tenement house classes by illustrating to them their own state of degradation through picture papers and the press generally. The

intellectual darkness of the tonoment house classed itlustrating to them their own state of degrada through picture papers and the press generally. Bible Society statificated 1,000,000 Bibles last y Why could not somebody write a tract or ventilat on washing clothes, on cooking or on other kind

subjects?

Mrs. Follows, of Newburg, pointed at the vast amount of destitution caused by intemperance, and the meeting then, with some congratulatory remarks by Dr. Potter, was brought to a close.

MAKING AMERICA AN ASYLUM.

A letter was received by the Commissioners of Emi ration on Thursday from R. Passnacht, of Montier, Switzerland, stating that the Swiss government had paid the passage to this country of two families and two single individuals who were destitute in their own land, and also troublesome and hard drinking people. Mr. Fasanacht stated that they were unwilling to work and of no acquisition to any country.

Labrador, which reached this port on May 9. Their Labrador, which reached this port on May 9. Their names are Philipp Paynard, his wile and three children, aged, respectively, six, two years, and three months; Constant Schinzeriet, who and two children, aged two and a half years; Adoiphe Schinzerlet and Paul Gobat, single persons. An investigation into the circumstances was held at Castle Garden yesterday, and these different people acknowledged that their passage had been paid to this country by the Swiss gevernment; and they declared that upon application any citizen of that country expecting work elsewhere could obtain the same lavor. They are watchmakers by trade, and as business was dull in Switzeriand they were induced to come to this country by the advertisements which appeared in the newspapers. Their destination was Danville, Va., where they expected to procure employment. It seems that the Swiss government, besides paying their passage, had supplied them with funds to take them to their destination. Philipp Paynard receiving \$130.50 Constant Schinzerlet 354 15, Adolphe Schinzerlet, \$18.65 and Paul Gobat \$20.50.

No proof of their dissounce habits could be obtained, and, as they had this money, the Commissioners could not consider them paupers and so send them back to Switzerland. It was, however, decided to communicate with the Swiss government on this subject and endeavor to remedy this growing evil of sending destinute emigrants to this port. names are Philipp Paynard, his wife and three chil-

AN AWKWARD WITNESS.

Mr. John P. Thompson is an aged man, and though he is agile and sprightly in his movements he is very deaf. When his name was called in the Special Sessions Court yesterday he failed to see an iron railing in his way and sprawled on his way to the witness hair at full length. It was a work of considerable difficulty to swear him.

"What?" said John.
"Kiss the book," snouted the Clark.

John put his hand to his ear and leaned over and aid calmly, "What?"

"Kiss the book," yelled the Clerk, almost black in the face, and as the interpreter guided John's hand toward his mouth he at length understood what was

Judges Bixby and Smith looked aghast when the interpreter, standing with his mouth at John's ear and shouting at the top of his voice, failed to chick an intelligible reply. At length Judge Duffy took the witness and raising his steutorian voice a little got a

it witness and raising his steatorian voice a fittle got a low answers.

"What is your name?" roared the Judge.

"Yes, I am deat," said the old man.

The question was relecated still iouder, and the witness at length understood and answered it.

"Have you lost anything?" said the Judge after the laughter in the room had been silenced.

"Yes, West Kieventh street," said John, waving his hand in the direction of the Brooklyn Bridge.

At length, when Judge Bully had exhausted himself, John started in on his account, and told how Eilen Cantrell had stolen his trousers.

Klien was given an opportunity to tell her story, and told such a remarkable one about her kindness to the old man, whom she found alone on the street, and acout y boy, and a landord, and lodgings in two piaces, fand her purchase of the clothing in question for twenty-five cents, that the Court promptly found her gainty with extenuating circumstances and provided for her support for the next five days.

White Kinen was testifying to an ordinary tone of voice John sat a little behind her, and complained bitterly to the officer near him that she was waispering to the judges.

OUR COMPLAINT BOOK.

[Nore.-Letters intended for this column must be ompanied by the writer's full name and address to insure attention. Complainants who are unwilling to comply with this rule simply waste time in writing.
Write only on one side of the paper.—En. Herald.]

TO THE EDITOR OF THE HERALD :-Why are not cups attached to the hydrants down town, especially to the one in front of the Post Office?

A QUESTION FOR CAPTAIN WILLIAMS. To THE EDITOR OF THE HEBALD:ninth precinct, enforce the laws in relation to the suppression of crime more rigidly in his precinct? VERITAS.

DISORDERLY PERSONS.

TO THE EDITOR OF THE HERALD :-A gang of loafers congregate every evening at the cerner of Lexington avenue and 119th street, insulting persons who pass. They have been repeatedly cau-tioned, but it seems to be of no use. Cannot the poince give some relief to PROPERTY OWNERS?

TAX ON SMOKING.

TO THE EDITOR OF THE HERALD :-The Ninth avenue and Twenty-third Street and the Fifth Avenue Stage lines sell tickets at a reduced rate which they will not take on the box. The reason is easily surmised. I like to smoke when I am riding to and from my business, and generally ride on the top. I think it an imposition to charge four cents for this privilegs. MURRAY HILL.

BRUTALITY OF POLICEMEN. TO THE EDITOR OF THE HERALD :-

Last Tuesday night there was a drunken man in Thirty-second street, near Second avenue. As the policemen were taking him in I came out of a friend's house, when the policemen made a dash at the crowd, and the first thing I knew I got about ten deadly strokes over the arm, which broke it. It is an outrage to have such men on the force. READER.

PESTILENTIAL PILES.

TO THE EDITOR OF THE HERALD :-In Sixty-first street, between Tenth and Eleventi avenues, there is a poisonous and death-dealing edor. saused by a mixture of swill and stable manure which the owners keep turning over, adding to and taking from it every day. Another of the same sort may be found between Frity-seventh and Frity-eighth atrects. Complaint has been made to the Board of Health, but still the manure comes in cart loads.

A SUFFERER.

HIGH ASSESSMENTS.

TO THE EDITOR OF THE HERALD:-I would respectfully ask the Hon. John Kelly, the chief of Tammany Hall, or any other of the heads of the city government, to inform me why houses in the Twelish ward are assessed for \$5,500, when I would gladly sell them for \$5,000, or even less? Is this reform, to reduce the hominal rate of taxation by raising the amount of the assessment above its value? Is it not trying to throw dust in the eyes of the taxation by raising the assessment above the value?

POLICE OUTRAGES.

TO THE EDITOR OF THE HERALD:-I desire to call attention to what seems to me out ragous treatment on the part of the policemen in Central Park. While passing through the Park Monday evening with a few iriends we were suddenly pounced upon, clubbed and grossly insulted with filthy and abusive language by officer No. 103. One of our sumber was taken into custody and conducted to the station house, where, after nearing both sides, we were discharged by the sergeant. Cannot something be done to prevent an officer from arresting innocent persons?

8. G. K.

AN OUTRAGE UPON STREET LABORERS. TO THE EDITOR OF THE HERALD :-

'small" and "contemptible" manner of transacting business in the Street Cleaning Department. I am employed as a laborer in said department, and during the last month have made "eight days. Having to support a wile and eight children on this small pittance, I was astonished when presented last Saturday evening after work with a ticket for a "raffle" for a watch at hity cents per chance. This invitation I, as well as all of the party, had to submit to or place ourselves in danger of being "cut." STEMET LABORER.

CARELESSNESS ON THE ELEVATED BOAD.

O THE EDITOR OF THE HERALD:-I desire to call attention to the careless manner of andling the tools and bolts used in the construction of the elevated railway, or at least that portion of the road on Pearl street. On Tuesday a young man in my road on Poar's street. On Tuesday a young man in my office narrowly escaped being struck by a redbot bots dropped by one of the workmen. Last Wednesday morning I was startled by a crowbar failing not more than three leet in front of me, and another gentleman in the office mentions the fact of a narrow escape from a wetting in consequence of water being thrown from or near the hoisting engine. PINE STREET.

WORSE THAN THE EAST SIDE.

The To THE EDITOR OF THE HERALD:and of the Police to the condition of West Twentyeighth street, between Tenth and Eleventh avenues. It is not only fliny, but it is dangerous to people living or walking along the ous to people living or walking along the street. Those living on the upper end of the street throw their slops and garbage into the guiter and it lies in the bot an and rots. It does but little good to clean the street so long as people are allowed to throw garbage and littly water in the gutter. Can't the police stop it here as well as eisewhere in the cuty? The garbage is gathered up only about once a month, and the boxes get juli and then it falls over into the gutter. There has been a dead cat lying in the street over a week. We don't complain of that, lorty dead cats would not preceptibly increase the stench; but the street in its present condition is not even it for a dead cat.

ANSWER.

THE THIRD AVENUE SAVINGS BANK.

To THE EDITOR OF THE HERALD; --' for the name of the trustee of the Third Avenue Savings Bank who without suit paid the amount due from him upon the trustee's ought perhaps to have added that after suit had been brought, berhaps to have auded that after such as the brought, but prior to trial, one other trustee (Mr. Thompson W. Decker) paid the \$2,500 for which he was itable upon the bond.

I am unwilling by inference even to do injustice to any one and therefore ask the publication of this Dote.

Receiver Third Avonue Savings Bank.

BUSINESS TROUBLES.

PETITIONS AND ADJUDICATIONS IN BANK-BUPTCY-THE CREDITORS OF THE M'NAB AND HARLAN MANUFACTURING COMPANY ACCEPT SEVENTY-FIVE CENTS ON THE DOLLAR.

Witham B. Coleman, proprietor of the Cooper House, at Cooperstown, N. Y., has been adjudicated voluntary bankrupt on his own petition by Register which there are secured \$10,150. There are 128 creditors entered on the schedule, the claims of the New York city creditors amounting to about \$5,700. The balance of the indebtedness is held in Cooperstown, Richfield and Albany. Among the creditors are the Second National Bank of Cooperatown, \$8,205 84 of which there is secured \$6,300; estate of H. F. Phinney, \$3,100, secured, and Ottman, Philips & Co., \$1,500. The assets are valued at \$10,850, consisting of the hotel furniture, \$10,000, and horses, omnibus of the hotel furniture, \$10,000, and horses, ownibus and wagons, \$550. There are chattel mortgages on the furniture to secure the Second National Bank of Cooperatown and the estate of H. F. Phinney.

Register Daylon has adjudicated Issae Friedberg, of No. 302 East Filty-axth stroet, a vountary balax-rept on his own petition. His habilities amount to \$91,642 69, of which there are secured \$34,211 47 and unsecured \$57,430 62. He has no assets. His troubles are mainly the result of real estate depreciation. The following are the second creditors:—Union Dime Savings Bank, \$10,000; John Grimble, executor, \$10,000; estate of Jonathan Wailer, \$7,000; Hauman Bischoff, \$5,500; Adoiph Banuman, \$1,711 47. The security consists of mortgages on the property No. 17 Curyste street, No. 46 Market street and No. 141 Madison street. Among the unsecured creditors are:—John Stemme, \$16,388 14; Henry Ismun, \$7,837 64; John Peterkeu, \$7,000; Elias Friedberg, \$11,070 46; G. B. Bicher, \$6,300; Henry Giass, \$6,240; Louis Dame, \$2,422.

George Keehler has been adjudicated a voluntary bankrupt by Register Fitch on his own petition, with insolinties amounting to \$22,500 and no assets. The principal creditors are the following:—Hudson Clark, \$7,000, secured; George Bothner, \$6,000; kooritz Rottschild, \$4,320; C. D. Hulkemeyer, \$2,000; lasae L. Dune, \$1,487 17.

Adelph Giaussen, sugar agent at No. 99 Peari street and No. 62 Stone street, has been adjudated a voluntary bankrupt by Register Fitch. His troubles are the result of the ladiors of Cuban sugar houses. The institutes amount to \$49,600, of which \$33,000 is on accommodation paper, all of which were acceptances and bulls of exchange drawn by C. Unribach & Co., of Matantsca, and fell due in October, 1876, and were not paid, judgments being entered against Mr. Claussen for two full amount. The principal claims are those of Matthew Byraes, Jr., \$13,000; Tims B. Eleridge, \$1,750, His assets coasiat of debts due \$2,255 and cash \$20. and wagons, \$850. There are chattel mortgages on

wwary bankrupt on his own polition, having liabilities amounting to \$14.600. The principal creditors are:—John Murphy, \$4.513 33; Mutual Life Insurance Company, \$3.210; Patrick New, \$2.000; Dime Savings Bank of Newark, \$1.070. The assets consist of house and lots in Elizabeth, which cost \$10,000, and were morigaged for \$4.000.

John Cuff, dealer in hats and caps at No. 639 Sixth avenue, is in voluntary bankruptcy before Register Little. His liabilities amount to \$4.300 and his assets are valued at \$1.130, consisting of stock, \$500, and debts oue, \$620.

An adjourned meeting of the creditors of the McAnd Harian Manofacturing Company, of No. 55 John street, was held yesterday at the rooms of the Hardware Board of Trade, Nos. 4 and 6 Warren street, to hear the report of the committee appointed at the last meeting. The committee reported fully in regard to the assets and liabilities and recommended the acceptance of a compromise at seventy-live cents on the dollar, which was unanimously accepted by the creditors present, who represented \$72.000 out of the total liability of \$171,000. The company offered to settle at fifty cents on the soilar.

Stanford & Mulier, commission produce merchants at No. 55 Warron street, made an assignment for the benefit of their creditors yesterday to A. S. Pratt, which was flued in the County Clerk's office. The firm began business on March 1, 1876, succeeding the firm of Griggs & Stanford, with a capital of \$15,000. Their liabilities are reported at about \$10,000.

HARDWARE BOARD OF TRADE.

In view of the increasing number of business failares throughout the country, and the necessity of protecting, as iar as practicable, the interest of members, the New York Hardware Board of Trade has unanimously decided to appoint a committee, to be known as the "Committee on Business Failures," whose duty shall be to take cognizance of any or all failures in which members of the Board are interested. The committee selected is composed of the following gentlemen:—Chairman, J. H. Goldey, Actuary of the Board; E. Hilzer, of the Wiesbrisch and Hilger flardware Ca.; E. Ketcham, of the firm of E. Ketcham & Co.; John Reid, of the J. L. Mott Iron Works, and F. G. Dow, counsel.

REAL ESTATE.

The following sales were made yesterday on the Real Estate Exchange:-

plaintiff. ... 187 A. B. MCLER.

Foreclosure sale— RY A. B. MCLER.

Foreclosure sale— R. Kurzman, releve—of a plot of iand 168 11x140, on the control of the control of iand 168 11x140, on the control of iand 188 120, on Washington aw, a. e. cerner of Mott at, a sao buildings, with plot of isand 12x108, on Mott at, a. w. corner of Madison aw, Tremont (24th ward); to plaintiff 5,000

OFFICIAL BEAL ESTATE TRANSFERS. The following statement showing the real estate transactions recorded in the Register's office May 10, 1878, is obtained from Augustus T. Docharty, Deputy

Clast St. D. a., 125 ft. e. of 10th av., 17.6x98.9; Catharine Barter and husband to Joseph Devling and others.

7th av. n. w. corner of 120th st., 50x123xirregular; also 96th st., s. a., 250 ft. e. of 5th av., 50x100; Peter C. Cornen and wife to Ellen J. McBride.

39th st. s. a, 255 ft. w. of Lexungton av., 20x389 g; Hanson K. Corning and wife to Ephraim L., Corn-ing. ing ... corning and wile to Ephraim I., Corning ... corner of 31st st., 24.7x75; Samuel Evans, Jr., to Mary Burchell.

9th av., s. e., corner of 52d st., 25.5x100; Philip Messer to John Messer 25th av., s. e. corner of 52d st., 25x100; Elizabeth Messer and husband to Philip Messer.

116th st., s. s., 424.10% ft. w. of aw. A. 18.7%x100.10; Lucy A. S. Reed and husband to Elizab. Bardott. Hestor st., s. s., 29 ft. w. of Allen st., 50xirregular (No. 84); Charles Wurtimer to Samuel F. Cowarey. Vandowator st. (No. 7); Ella Smull and husband to New York and Brooklyn Bridge Company.

Same property: William P. Smull and wife and others, to same 5.654 New York and Brooklyn Bridge Company.

Same property: William P. Smull and wife and others, to anne of the s. of 705th st. 25.6x100; Jacob Rudolphy and wife to Samuel V. Hoffman. 2.

11th av. a w. corner of 52d st. 25x100; Rudolph Jansen to Salome Rudolphy 2 annen 2 anne 2 a 1,000 18,750 15,000 7th av. s. w. corner of 128th st., 90.11x125; Same to same.

51st st. s. e. corner of Beekman place, 20.5x100; F. F. Trautman (referee) to Margaret E. DePorest., 2d av., e. s., 561 ft s. of 13th st., 17.2x108; J. J. Thomasson (referee) to Unisa Bransas Berrian av., near Elizabeth st., 25x100 (24th ward); S. D. Gifford (referee) to Westchester Fire Insurance Company.

Retreat av., s. s., 100 ft. w. of Grove st., 51x108 (23d ward); s. m. to same.

141st st. s. s., 73.1 ft. e. of 3d sv., 25x100 (25d ward); J. G. Sinclair, referee, to Walter W. Concklin.

2d av. w. s., 51.2 ft. s. of 75th st., 25x100; Jacob Rudolpby to Samuel V. Hoffman. 15,000 5,000 6,500 1.000 Rudolphy to Samuel V. Hoffman 215th st., irregular; Isabella S. Connolly, executor, and others, to George F. Gantz. 2,000 630

| 15th st. | fregular; same to same | Nom. | Nom. | 215th st. | fregular; same to same | Nom. 2.500 46th st. s. s., 138 ft. w. of Brondway, 20x100.5; Nanette Ackermann and husband to Alexander Nom. 10,500 10,000 15,500 .. 10,000 52d st., West, No. 600, Rudolph Jansen to Plorenco Rudiewiz; 3 years 9th av., No. 762, John Schmidt to H. & H. Brein; 3 \$12,000

1st av., No. 51, part of; Charles Bernhard to Goorge Kammerer. Ist av., No. 51, part of; Charles Bernhard to George
Kammerer.

RECOIDED MORTGAGES.

Ackerman, Frank M. and wife, to the Matual Life
Insurance Company, No. 128 East 10th st.; I year
Coben, Heuricita, to Bernard Finkle, No. 193 East
Broadway; 6 years.

Crosby, Howard and wife, to William Jay and William B. Crossy (trustees, &c.), a. a. of East Broadway, n. of Jellerson st.; I year.

(anta, George F., to Isabella S. Connolly and others
(executors, &c.), 215th st. (2 lots); 3 years.

Same to Joseph Maloney (trustee, &c.), n. w. corner
of 10th av. and 175th st.; 4 years.

Gilman, Cornelia, to Arthur B. Graves, No. 29 West
20th st.; I year. 1,200 4,000 3,045 275 Gilman, Cornella, to Arthur B. Graves, No. 49
20th at 1 year.
Goodwin, Samuel, to Daniel B. Ormsbee, No. 49
West Washington place instalments.
Hayman, Oliver G., to Issuella S. Connelly and
others (executors, &c.), c. s. of 11th av., w. of
120th st; 3 years.
Same to same, c. s. of 11th av., n. of 120th st; 3 1,200 Same to same, e. s. of 11th av., u. of 125th st.; 3 years.

Holinday, Martha, to Andrew B. Hine, s. s. of 36th st., e. of 75th av.; instainments.

McQuade, Patrick, to Henry A. Gram and another (excentors, &c.), s. s. of 80th st., s. of 2d av.; 3 years.

Mackey, Caroline E., and busband, to Jace Taylor, a. s. of 5th st., e. of Lexington av.; 1 year.

Reformed Low Dutch Church, of Harlen, to Sarah, Burr, e. s. of 36t av., n. of 122d st.; 5 years, Sarah, Burr, e. s. of 50th st., w. of 2d av.; due, ..., a. n. of 75th st., w. of 2d av.; due, ..., laconated has longing has no tharles E. Specht, s. s. of 75th st., w. of 2d av.; due, ..., laconated has longing has longing her contracts.

Clarke, Elizabeth, to Richard to Radway, ..., to John F. Cuntilladian. 1,500 15,000

tingham.

Parrell, Joseph, to Charles Schults.

Russell, William F. (receiver of Sixpenny Savings
Bank), to Emily J. Buckland.

Same to John Kennesy.

Sorchan Marus A. and another (trustees, &c.), to
John J. (dilmartin.

THE MONTAGNIE WILL CASE.

The examination in the case of the contented will of William de la Montagnie was continued in the Surrogate's Court, Kings county, before Surrogate A. H. Dailey, yesterday. The will is contested by one of the grandchildren of the deceased, Mrs. Corrinne W. Gay-ior. She shared equally with the other grandchildren in the will, but by a codicil she was cut off with a legacy of \$500. She was married privately to her present nusuand in 1872, and in 1873 by a ciergyman. Sie kept both marriages secret from her guardian, Mr. Mead, and the wife of the intter, with whom she then lived, who she said compelies her to return the engagement ring which Gaylor gave her nod send him a letter breaking off relations with him. When she gave the release it was ten days after her confidence, and she did not know what she was doing. The examination has not been concluded.

VERDICT IN A LIBEL SUIT.

In the matter of the suit against the New York Staats Zeitung, in which John Cowan was complainaut, the jury rendered a verdict for the plaintiff in the sum of \$1,500. The plaintiff, who was a deputy sheriff in 1876, was assigned to the duty of keeping guard over Pesach Rutenssein, the murderer of Sara Alexandra, at the R.ymond Street Jail, Brooklyn. In some one of the publications in the defendant's journal at the time comments were made reflocting upon the previous character of Mr. Cowan, who brought tuilt to recover \$50,000 damagos. The case was tried in the Supreme Court, Circuit, before Junge Pratt. A motion for a new trial was made and the case was set down for hearing on Friday nexts.

FINANCIAL AND COMMERCIAL

The Stock Market Fairly Ac. tive and Steady.

GOLD STEADY AT 100 1-2.

Government Bonds Firm, States Steady and Railroads Strong.

MONEY ON CALL EASY AT 5 A 3 PER CENT.

WALL STREET, }
FRIDAY, May 10—4 P. M. }
After permitting the market to grow weaker day by day for a week past, until symptoms of what might turn out to be a serious decline began to show themselves, it was thought advisable this morning to send for the doctor and procure the administration of a tonic to restore the tone of speculation. This was done by lending an active support to the Northwest day advanced quotations something over one per cent. It was not difficult to trace this jack screwing process (for it was nothing more) to the Gould in-terest, nor to find a reason for it in the necessity of retaining the price of the Northwest common shares within a point of 50, so long as the Gould double and single barrel privileges remain cocked and primed upon the market. Judging from the published list of stockholders it would appear that the amount of snares set down to Mr. Goold and his henchmen are sufficient to control the election, and hence that the trumpeting for proxies on the part tainly it would require a pretty loud summons to clicit a response from the prominent officers of the rond, who appear to have taken special pains to have as lew shares stand in their names as possible. A large business was done in Lake Shore within half per cent fluctuations. Since the issue of the company's the stock, and the very parties who a few months back were loud in its preises are now busy throwing mud. From all accounts they would seem to be in a measure justified in so doing, for neither the present business of the road nor its prospects for some months to come are encouraging, while the anticipation of a 3 per cent dividend, once confidently expected, is molting away "like the baseless fabric of a vision," with the prospect of leaving no more sub-stantial "rack behind" than such as is compassed by the meagre proportions of 1 to 1 1/2 per cent. Early in the day the Wabash property, under limited transactions, quietly supped off one per cent. It was re-ported that Judge Donohue had been applied to for the appointment of a receiver and that the company had been called upon to show cause on Monday next why the same should not be appointed. Later on the report was denied, and the loss in price was recovered and retained to the end of business. A little more life was visible in the Ohie and Mississippi concern, which for some weeks past has been lying dormant under the belief that the reconstruction scheme had fallen into a sleep which knows no waking. We learn, however, that a meeting of directors will be held at Cincinnati next week, when the "plan" will be submitted and undoubtedly adopted. In response to the fillip given te the granger stocks, the general market (with the exception of Lake Snore) was strong and inclined to advance, though but little progress was made in that direction, the artificial nature of the stimulus being

public, into buying. OPENING PRICES. The opening prices of stocks at the Board to-day were as follows:—Western Union Telegraph, 81%; Pacific Mail, 20%; New York Contral, 106%; Erie, 12%; Harlem, 147; Lake Shore, 61%; Union Pacific, 68%; Illinois Central, 76%; Northwestern, 50; de. proferred, 71½; New Jersey Central, 18½; Rock Island, 105; St. Paul, 50½; do. preferred, 74½; Ohios, 7½; Lackawanna, 53; Morris and Essox, 79; Hannibal and St. Joseph, 11%; do. proterred, 27%; Michigan Central, 68.

too apparent to cajole many traders, much less the

The closing quotations at three P. M. were:-

Atlan & Pac Tel. 21½ 22½ Kansas & Texas 22½ Chi & Northw'n, 51 51½ 1ake Shore 61½ Chi & NW pret. 71½ 72 Mich Central ... 67½ Ohi & I & Pac 1050 1614 Mich Central ... 67½

The following table shows the highest and lowest prices of the day :-

| New York Central | Highest | 106 % | Hariem | 147 | Erie | 12 % | Luke Shore | 62 % | Wabash | 62 % | Milwaukee and St. Paul
Mil and St. Paul prof.
Del. Lack and Western
New Jersey Central
Del and Hudson Canal
Morris and Essex
Michigan Central
Illinois Central
Union Pacific
Coic, Bur. and Quincy 1
Chicago and Alton
Hannibal and St. Joseph
Hannibal and St. Joseph prof.
Ohio and Mississippi
Western Union
Pacific Mail

THE MONEY MARKET. Money on call was easy at 4 a 5 per cent and closed at 3 a 3% per cent. The following were the rates of exchange on New York at the undermentioned cities to-day:-Savannab, buying 1-16 premium, selling M premium; Charleston, scarce, % premium, % premium, nominal; St. Louis, 1-10 premium; New Orleans, par, % a % premium; Chicago, 60 premium, and Boston, 12% discount. Foreign exchange was quiet, with actual business at 4.85% a 4.86 for bankurs' sixty days sterling bills, and at 4.88 % a 4.88 % for

Gold sold at 100% throughout the day. The carry-ing rates were % and 1 per cent, and the berrowing

rates flat and 1 per cent. GOLD CLEARINGS AT THE NATIONAL BANK OF THE STATE

GOVERNMENT BONDS. Government bonds were fairly active to-day and closed firm at the following quotation

THE PORSIGN MARKET.

The London advices report consols firm at 96 fee noney, and 96 a 96% for the account. United States

(CONTINUED ON NINTH PAGE)

bonds are steady and unchanged. Erie was k lower